

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-3233

Curtis Nathaniel Austin,

Appellant,

v.

Larry Norris, Director, Arkansas
Department of Correction; Rick
Toney, Warden, Varner Unit,
Arkansas Department of Correction,

Appellees.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: November 24, 1999

Filed: December 6, 1999

Before BOWMAN, FAGG, and MURPHY, Circuit Judges.

PER CURIAM.

Curtis Nathaniel Austin, an Arkansas inmate, appeals from the district court's¹ order dismissing his 42 U.S.C. § 1983 action following an evidentiary hearing. Austin

¹The Honorable William R. Wilson, Jr., United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Jerry W. Cavaneau, United States Magistrate Judge for the Eastern District of Arkansas.

alleged that defendants' hair-length policy requiring him to cut his hair violated his First Amendment rights, the Equal Protection Clause, and the Religious Freedom Restoration Act of 1993 (RFRA), 42 U.S.C. §§ 2000bb-2000bb-4. He also claimed that a prior settlement agreement precluded application of the policy to him.

After careful review of the record and the parties' submissions on appeal, we conclude that the district court correctly dismissed Austin's action as his claims fail, see Montano v. Hedgepeth, 120 F.3d 844, 848 n.8 (8th Cir. 1997) (RFRA); United States v. Bell, 86 F.3d 820, 823 (8th Cir.) (equal protection), cert. denied, 519 U.S. 955 (1996); Campbell v. Purkett, 957 F.2d 535, 536-37 (8th Cir. 1992) (per curiam) (First Amendment); and the settlement agreement has been terminated, see Ronnie Briggs v. James Mabry, No. 99-1396, slip op. (8th Cir.).

Accordingly, we affirm without further discussion. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.